IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.T.SANKARAN

MONDAY, THE 18TH DECEMBER 2006 / 27TH AGRAHAYANA 1928

WP(C).No. 30614 of 2006(T)

PETITIONERS:

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1. K.Y.MATHEW, VILAYIL KIZHAKKETHIL VEEDU, PUTHOOR P.O., KOTTARAKKARA, KOLLAM.

2. K.JOHNEKUTTY, MUKALILAZHYKATHU VEEDU, PUTHOOR P.O., KOTTARAKKARA, KOLLAM.

3. CHINNAMMA THOMAS, SREEVILASATHU VEEDU, CHUNKATHARA, PUTHOOR P.O., KOTTARAKKARA, KOLLAM.

4. CHENNUNNI NARAYANANKUTTY, KUZHIVILA VEEDU, CHERUMANGAD, PUTHOOR P.O., KOTTARAKKARA, KOLLAM.

5. E.DANIEL, VATTAKKATTU VEEDU, CHUNKATHARA, PUTHOOR P.O., KOTTARAKKARA, KOLLAM.

6. V.K.CHANDRASEKHARAN PILLAI, VAZHUTHANATHU VEEDU, PUTHOOR P.O., KOTTARAKKARA, KOLLAM.

7. GOWRIKUTTY AMMA, VENU SADANAM, PUTHOOR P.O., KOTTARAKKARA, KOLLAM.

8. OMANA RAJAMMA, KUZHIVILA VEEDU, CHERUMANGODU, PUTHOOR P.O., KOTTARAKKARA, KOLLAM.

9. LEKSHMI KUNJUPENNU, KANIYAPOIKAYIL VEEDU, PUTHOOR P.O., KOTTARAKKARA, KOLLAM.

10. SYAMALA AMMA B., SYAM BHAVAN, PUTHOOR P.O., KOTTARAKKARA, KOLLAM.

11. KOCHUMMAN JOHNEKUTTY,
MUKALILAZHIKATHU VEEDU, PUTHOOR P.O.,
KOTTARAKKARA.

12. E.JOHNKUTTY, VATTAKKATTU VEEDU,
PUTHOOR P.O., KOTTARAKKARA, KOLLAM.

13. K.YOHANNAN, ST.MARY'S HOUSE,
PUTHOOR P.O., KOTTARAKKARA, KOLLAM.

14. SARA GEEVARGHESE,
BLESS VILLAYIL THOTTUMKARAYIL,
THEKKUMPURATHU MURI, PUTHOOR P.O.,
KOTTARAKKARA, KOLLAM.

BY ADV. SRI. PRATHEESH. P

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY THE
PRINCIPAL SECRETARY, FINANCE DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DISTRICT COLLECTOR,
COLLECTORATE, KOLLAM.

3. THE SPECIAL TAHSILDAR (L.A.),
K.I.P., KOLLAM, KOTTIYAM, KOLLAM.

BY GOVERNMENT PLEADER SHRI BENNY VARGHESE.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 18/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C)NO. 30614 OF 2006

APPENDIX

PETITIONERS' EXHIBITS:

EXT. P1	:	TRUE COPY OF JUDGMENT OF THE PRINCIPAL SUB COURT, KOTTARAKKARA DATED 26.10.1999 IN L.A.R. No. 81/86, 84/86 & 85/86.
EXT. P2(a) TO P2 (N) series	:	COPY OF APPLICATIONS FILED BY THE PETITIONERS UNDER SECTION 28(A) OF THE LAND ACQUISITION ACT IN DIFFERENT DATES DURING MARCH AND APRIL, 2000.

/TRUE COPY/

P.A. TO JUDGE

K.T. SANKARAN, J.

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W.P.(C) No. 30614 OF 2006

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Dated this the 18th December , 2006

J U D G M E N T

Lands belonging to the petitioners were acquired for the purpose of Kallada Irrigation Project and award was passed. However, the petitioners did not make any application for reference under section 18 of the Land Acquisition Act . Other claimants whose lands were also acquired under the same notification and for the same purpose, filed applications for reference and those cases were referred and numbered as L.A.R.Nos. 81, 84 and 85 of 1986 before the Sub Court, Kottarakkara . The Sub Court disposed of the aforesaid L.A.Rs by Ext. P1 judgment dated 26.10.1999. On the basis of Ext. P1 judgment, the petitioners submitted Exts. P2 to P2(N) applications under section 28A of the Land Acquisition Act in March, 2000. Those applications are not disposed of by the third respondent. The prayer in the Writ Petition is to issue a writ of mandamus or any other appropriate direction or other commanding the

respondents to dispose of Exts.P2 to P2 (N) applications and to disburse the enhanced compensation.

2. Learned Government Pleader, on instruction, submits that large number of applications filed under section 28a of the Land Acquisition Act are pending and those applications are being disposed of in accordance with priority. It is also submitted that Exts. P2 to P2(N) applications would be disposed of in due course, strictly in terms of priority. This submission is recorded.

3. There will be a direction to the third respondent to dispose of Exts. P2 to P2(N) applications in accordance with law, in terms of priority and at any rate within a period of six months from today.

Writ Petition is disposed of as above.

K.T. SANKARAN,
JUDGE.

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